



Docket No.: 1293.1176

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kyung-geun LEE et al.

Serial No. 09/810,457

Group Art Unit: 2655

Confirmation No. 7201

Filed: March 19, 2001

Examiner: Ali Neyzari

For: DISC HAVING GROOVES AND PITS WITH DIFFERENT DEPTHS, AND METHOD  
FOR MANUFACTURING THE DISC

**COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed February 10, 2005.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of various claims. However, the Examiner has not recited the appropriate language for the appropriate claims as pending and allowed in the application.

By way of example, the Examiner asserts that independent claims 5, 13, 16-18, more particularly define the method of manufacturing a disk having groove and pits with different

depths (using laser power with two different power levels) using a stamper obtained by stamping from a master an even number of times. However, only independent claim 17 makes any mention of the term "even," reciting "forming the discs with an even-number stamper from the master." Independent claims 5, 13, 16 and 18 do not recite anything relating to "using a stamper obtained by stamping from a master an even number of times."

The foregoing is merely meant to be exemplary, and does not point out all of the discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed features of the currently pending claims.

It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

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